

## REMARKS

1. Claim 5 is cancelled without prejudice. Claims 6 and 7 are amended to correct the dependency relation in view of the cancellation of claim 5. Claim 21 is amended to address a typographical error.

2. Claims 1-2, 4, 10-13, 16-18 and 21-24 are not anticipated by Ebrahimi under 35 U.S.C §102(b).

Claim 1 recites "a writing start area." Ebrahimi discloses "a number of writing boxes 12. (Col. 1, lines 65-66). Ebrahimi does not disclose a "writing start area" as claimed and described by Applicant. Rather, Ebrahimi discloses "writing **areas** 42". Thus, claim 1, and the claims that depend therefrom cannot be anticipated.

Applicant recites that the "writing start area" is "substantially smaller" than the handwriting input area. Ebrahimi discloses "writing areas 42." The image of a "character 44, 46" is displayed within the "writing areas 42." (Col. 3, lines 26-28). The Examiner refers to FIG. 2 (44,46) as the equivalent of the "writing start area" claimed by Applicant. However, elements 44 and 46 in FIG. 2 are described as characters, and not a "writing start area" as claimed by Applicant.

The Examiner states that he is referring to one of the two characters, (FIG. 2 (44)), which is smaller than writing area. (FIG. 2 (42)). However, this is not what is disclosed or shown by Ebrahimi. FIG. 2 (44) is an "image of a character." (Col. 3, line 46). FIG. 2 (42) comprises the "writing areas." (Col. 3, line 18). Ebrahimi clearly illustrates in this figure "writing areas 42" and "character 44, 46." This arrangement in Ebrahimi is not what is stated by the Examiner and does not suggest what is claimed by Applicant. There is no disclosure here or elsewhere in Ebrahimi of a "writing start area" that is "substantially smaller" than the handwriting input area. The two areas that areas 42

comprise are clearly shown to be of equal size in FIG. 2. Thus, at least this feature cannot be anticipated by Ebrahimi.

It is quite evident that Ebrahimi discloses two separate handwriting input areas (character 44,46) in writing areas 42 that are of fixed and substantially equal size. Applicant claims and discloses a single writing start area that is substantially smaller than the handwriting input area. (see e.g. FIG. 2 (280)). The handwriting start area can be of an arbitrary size, covering either a part or, if necessary, the whole handwriting input area (see e.g. FIG. 2 (270)). This is not shown in Ebrahimi.

Thus, Ebrahimi does not disclose a writing start area as claimed by Applicant, but rather only teaches "writing areas 42." These "writing areas 42" comprise the whole of a handwriting input area. Applicant claims a writing start area (FIG. 2 (280)) that is considerably smaller than the handwriting input area. (FIG. 2 (270)). The "writing areas 42" are of equal size in Ebrahimi. Thus, Ebrahimi does not teach the elements claimed by Applicant, and claim 1 cannot be anticipated. Further, claim 4 recites that the writing start area is at a fixed location and claim 6 recites that the start area can be adjusted to a new location in the handwriting input area depending on a current cursor position. However, Ebrahimi only discloses writing areas 42.

Therefore, claim 1 and the claims that depend therefrom cannot be anticipated by Ebrahimi and reconsideration and allowance is solicited.

3. Claims 3, 5-9, 14, 15, 19, 20 and 25 are not unpatentable over Ebrahimi and Seni under 35 U.S.C §103(a). These claims should be allowable at least by reason of their respective dependencies on claim 1 for the reasons stated above.

Also, it is again respectfully submitted that there is no motivation to combine references to achieve what is claimed by Applicant for purposes of 35 U.S.C. 103(a). Any such

suggestion can only be made with hindsight knowledge of what is claimed by Applicant. The law remains that there must be some motivation or suggestion to combine references and the combination must result in what is claimed by Applicant. There is no such motivation or suggestion in either Ebrahimi or Seni.

Ebrahimi is directed to "writing start areas 42" that comprise the area, size and location of the handwriting input area. (FIG. 2 (42)). Ebrahimi includes a "water mark" in each writing area that allows the user to know where the writing area is as well as the form and stroke by which the handwritten input is to be entered. (Col. 3, lines 26-39) Thus, the user can see from Ebrahimi what type of handwriting input is required in the input area.

Seni is directed to message composition on small screen devices. A single handwriting input area 104 is provided. The writing area continuously moves from right to left. [0017].

Applicant's claimed subject matter is directed to a "writing start area" that can be of an arbitrary size and in particular "substantially smaller" than the handwriting input area. There is no suggestion in either Ebrahimi or Seni to combine references to achieve this result and the combination cannot achieve what is claimed by Applicant. Neither Ebrahimi nor Seni make any mention of a "writing start area" as claimed by Applicant. Neither Ebrahimi nor Seni disclose or suggest that there is any area that is "substantially smaller" than the handwriting input area. All the writing areas in Ebrahimi and Seni are of a fixed size.

Applicant's claimed subject matter is directed towards the problem of discriminating between logical pen mode and mouse mode and reducing accidental mode changes from logical mouse when logical pen is intended, and facilitating switching between different symbol sets for handwriting recognition. Neither Ebrahimi nor Seni address

this particular problem. As stated in *KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct 1727, 1741 (April 30, 2007), there must be some "need or problem" in the field at the time of the invention to provide a reason for combining the prior art. *Id.* at 1741. Thus, one of ordinary skill in the art would not look to this combination of references in an effort to solve the problem addressed by Applicant. Therefore, there is no motivation to combine the references for purposes of 35 U.S.C. 103(a).

The Examiner states that "advancement" provides the reason to combine the references. This position is respectfully traversed. An "obviousness" rejection requires that there be some reason to "prompt" a person to combine elements in the way the claimed subject matter does. *Id.* at 1741. There is no such need or reason here. "Advancement" is not a reason, and does not address any "need or problem" in the field at the time of the invention to provide a reason for combining the prior art. *Id.* at 1741. "Advancement" is mere speculation that the combination of references might provide some advantage. Thus, the use of "advancement" as the basis for the motivation or suggestion to combine references is merely argumentation to combine references with no real or intended goal in mind and a conclusory statement of undocumented suggestion. It does not and cannot serve as a basis for the finding of "suggestion" or "motivation" as required for purposes of 35 U.S.C. 103(a).

Additionally, even if there were some motivation to combine references, which it is maintained there is not, the combination does not and cannot result in what is claimed by Applicant. At most the combination might result in a handwriting input area that appears to move right to left (Seni), and where the writing area includes watermark characters that indicate the form of the writing input. This is not what is claimed by Applicant.

The interaction of Ebrahimi is much different than that in Applicant's claimed subject matter. In Ebrahimi, the input of an instance of a number requires the user to select a

"write numbers button" (FIG. 1 (22)), and then write the number with a stylus in one of the writing areas. (FIG. 2 (42)). However, Applicant describes the ability to simply place the stylus in one of the sub-areas, in this case the sub-area with numbers (FIG. 2 (286)), in the writing start area (FIG. 2 (280)) and write the number to be input. Applicant's solution is much simpler than what is disclosed by Ebrahimi since it eliminates the additional action of selecting the "write numbers" button of Ebrahimi. Thus, Applicant provides **advantages heretofore unseen or realized** with Ebrahimi or Seni, or the combination thereof. Therefore, one would **not** be motivated to combine the Ebrahimi and Seni to attempt achieve what is claimed by Applicant.

Further, with respect to claim 3, claim 3 recites that if a pen down event is not followed by a pen move event the input is interpreted as a user interface control operation. This is not disclosed by the combination of Ebrahimi and Seni. As noted by the Examiner, this particular feature is not disclosed by Ebrahimi. However, Seni does not disclose this feature either, and thus the combination cannot.

In Seni, when a pen down event occurs, the device determines whether traces are present in input area 104. If no traces are present, the input area is checked for scrolling. Scrolling can be started and an ink point drawn in area 104. An absence of activity can signal to stop scrolling. [0024]. There is no disclosure here that a pen down event not followed by a pen move is interpreted as a user interface control operation as claimed by Applicant.

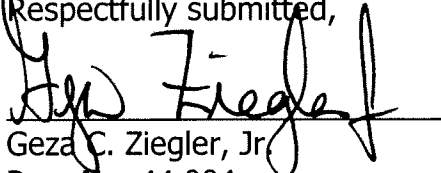
Paragraph [0005], also referred to by the Examiner, merely states that the "tap and hold" scheme can lead to text input errors. It does not disclose what is claimed by Applicant. The Examiner states that to function as a writing and scrolling (mouse) would be an "advancement" for Ebrahimi's device. However, the question remains as to why Ebrahimi would desire or even benefit from "scrolling." Ebrahimi fails to disclose any feature in the writing areas 42 that would need or benefit from any such scrolling.

Thus, it is respectfully submitted that adding such a feature disclosed by Seni to Ebrahimi would not provide any advancement as is being suggested. It is merely the an arbitrary suggestion and would result in adding a feature that has little or no use in Ebrahimi. Thus, the suggested "advancement" does not suffice as a basis or motivation to combine the references.

Thus, it is respectfully submitted that there is no legal motivation to combine Ebrahimi and Seni, and even if there were, the combination does not and cannot result in Applicant's claimed subject matter. Therefore, claims 3, 6-9, 14, 15, 19 and 20, as presented, should be allowable. In the event the Examiner does not agree, entry of this response is requested for purposes of appeal.

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Respectfully submitted,

  
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22 OCTOBER 2007  
Date

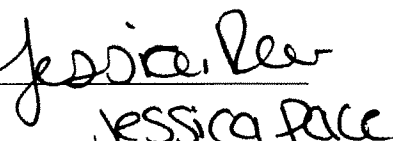
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